

REMARKS/ARGUMENTS

Applicant's representative would like to thank the Examiner for his time and the courtesies extended during the telephonic discussion conducted on August 29, 2006. The remarks presented herein expand and reflect these discussions.

In the above-mentioned Decision on Appeal, the Board of Patent Appeals and Interferences (the "Board") rejected claims 1, 3 - 7, 9 - 12, 14 - 20, 22, 24 - 32, 49 and 51 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Board rejected claims 1, 4 and 5 under 35 U.S.C. § 102(b) as being anticipated. Finally, the Board rejected claims 3, 8, 19, 23, 24, 27, 28, 31, 32 and 51 under 35 U.S.C. § 103(a) as being unpatentable.

The Board did not sustain the Examiner's rejections of claims 13, 45 and 52. As such, claims 13, 45 and 52 no longer stand rejected.

Claim Amendments:

Applicant has cancelled claims 1 - 12, 14 - 44 and 46 - 51 without prejudice or disclaimer of the subject matter recited therein. Applicant has placed claims 13 and 45 in independent form consistent with MPEP § 1214.06. Claim 52 is already in independent form. Accordingly, Applicant respectfully submits that independent claims 13, 45 and 52, as amended, are patentable. Applicant respectfully requests allowance thereof.

Should any questions concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 237-1195.

In the event that Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefore and authorizes that any charges be made to Deposit Account No. 02-0390, BAKER & DANIELS.

Respectfully submitted,



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